

Notice of Allowability	Application No.	Applicant(s)	
	09/730,375	SIMONYI, CHARLES	
	Examiner	Art Unit	
	Ted T. Vo	2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/04/05.
2. ☒ The allowed claim(s) is/are 13-24.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Ted T. Vo
TED T. VO
 Primary Examiner

TL

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1. This communication is in response to the amendment filed on 01/04/05.

- In view of the amendment, the rejection to the issue of 35 U.S.C 101 is withdrawn.

The amendment and arguments overcome the rejection in Office action dated: 09/23/04, under prior art of record, Hendren et al., "Supporting Array Dependence Testing for an Optimizing/Parallelizing C Compiler" (10/19/1993).

With further extensive searches, Hendren et al., remains the closest art of record.

Reasons for Allowance

2. Claims 13-24 are allowed.

Prior art of record, Hendren et al., discloses syntax tree represents as a general expression tree of a C program in compilation. The tree presents to a user a data structure of an execution flow in which the user can identify nodes, data nodes, sub tree, and the relations.

However, Applicants point out that Hendren does not show or disclose receiving multiple nodes of a program tree as user-selected node inputs, or that a program tree is a syntax-independent representation of a computer program,

where Applicants point out and reason as that, Hendren is syntax-dependent and describes an intermediate structure to compile C program files (Remarks: page 9, lines 4-5, as regard to Claim 13. Page 10, lines 8-9 as regard to Claim 17), and point out as that, the general expression tree is built during the analysis when compiling a C program files (Remarks: page 9, lines 11-12), nodes in the general expression tree are not received as user-selected node input of a program tree (Remarks: page 9, lines 13-14), and that the general expression tree is generated from a source program during compiling that is not a program tree having a syntax-independent representation of a computer program (Remarks: page 9, lines 14-17).

Therefore, the following is an examiner's statement of reasons for allowance: The cited prior arts taken alone or in combination fail to teach claimed invention, methods and a system of implementing

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firmware updates to a programmable part within a printed circuit board, comprising the steps of comprising at least features:

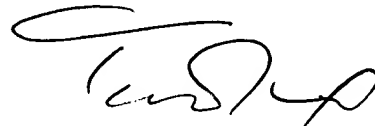
“receiving multiple nodes of a program tree as user-selected node input, each of the nodes specifying a declaration pointer and an operand pointer to another node; storing the multiple nodes of the program tree that is a syntax-independent representation of a computer program such that the declaration pointers and the operand pointers interconnect the nodes to form the program tree”,

as recited in independent Claim 13, and in such manners in independent Claim 17.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted T. Vo whose telephone number is (571) 272-3706. The examiner can normally be reached on 8:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3694. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ted T. Vo
Primary Examiner
Art Unit 2192
April 14, 2005